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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON**

IN RE:

WAHLUKE PRODUCE, INC.,

Debtor.

Case No. 16-00899

Case No. 16-00900

Case No. 16-00898

DEBTORS' JOINT MOTION FOR
AN ORDER PERMITTING THE
JOINT ADMINISTRATION OF
THESE CASES AND THE USE OF
A CONSOLIDATED MAILING
MATRIX

IN RE:

TATOES, LLC,

Debtor.

***WITH REQUEST TO SHORTEN
TIME FOR NOTICE AND
OBJECTIONS & REQUEST FOR
EMERGENCY HEARING***

IN RE:

COLUMBIA MANUFACTURING,



1 INC., dba COLUMBIA ONION

2 Debtor.
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8 Wahluke Produce, Inc. (“**Wahluke**”), Tatoes, LLC (“**Tatoes**”), and
9
10 Columbia Manufacturing, Inc. dba Columbia Onion (“**Columbia**”) jointly
11
12 move under Federal Rule of Bankruptcy Procedure 1015(b) for an order (a)
13
14 providing for the joint administration of these cases; and (b) permitting the use
15
16 of a consolidated mailing matrix. Wahluke, Tatoes, and Columbia may
17
18 collectively be referred to herein as the “**Debtors**.” This Motion is supported
19
20 by the records and files herein and the Declaration of Del Christensen.

21 **I. Background**

22 1. On March 21, 2016, the Debtors each filed a chapter 11
23
24 bankruptcy proceeding with the cause numbers referenced in the above
25
26 caption. Each of the Debtors are continuing in the possession of their property
27
28 and are operating and managing their businesses as debtors in possession
29
30 under sections 1107 and 1108 of the Bankruptcy Code.
31
32
33
34



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2
3 2. Wahluke, Tatoes, and Columbia are family run businesses and
4 each is owned 100% by Del and Daneen Christensen, husband and wife
5
6 (“**Christensens**”). The Christensens (1) own all outstanding shares of
7
8 Wahluke and Columbia and make up all of the board of directors of the same;
9
10 and (2) are the sole members of Tatoes. The Christensens have the sole voting
11
12 power associated with each of the Debtors.

13 3. Together the Debtors, along with additional family business
14
15 ventures, comprise a fully integrated farming, packing, storage, and shipping
16
17 enterprise. Along with this Motion, the Debtors have jointly filed a Motion
18
19 for an Order (a) Authorizing Emergency & Interim Use of Cash Collateral; (b)
20
21 Authorizing Final Use of Cash Collateral (“**CC Motion**”). The CC Motion
22
23 describes the background and structure of each of the Debtors along with the
24
25 assets of the Debtors and primary secured creditors of the Debtors. The
26
27 statements and averments in the CC Motion are fully incorporated in this
28
29 Motion.
30
31
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34



1 4. The Debtors are jointly and severally liable to their primary
2
3 operating lender – Rabo AgriFinance (“**Rabo**”). At the time of the filing of
4
5 the bankruptcy petitions, it is estimated that the total debt owed to Rabo was
6
7 \$22,000,000.00. Each of the Debtors has given Rabo a blanket security
8
9 interest in all of their assets, including accounts receivable.

10 **II. Jurisdiction**

11 5. The Court has jurisdiction over this matter under 28 U.S.C.
12
13 157(b) and 1334. This matter is a core proceeding as defined in 28 U.S.C.
14
15 157(b)(2)(A) and (O).

16 **III. Argument**

17 6. Pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy
18
19 Procedure, if two or more petitions are pending in the same Court by or
20
21 against a debtor and an affiliate, the Court may order the joint administration
22
23 of the cases. Each of the Debtors is wholly owned by the Christensens who
24
25 have the sole and complete voting power over each of the Debtors.
26
27 Accordingly, each of the Debtors is an affiliate of the other, as that term is
28
29 defined in 11 U.S.C. 101(2). Rule 1015(b) contemplates the joint
30
31 administration of these cases.
32
33
34



1 7. The relief requested is appropriate because it will benefit the
2 Debtors' estate as stated below:
3

4 a. Based on the integrated relationship of the Debtors and the
5 similarity of their creditors, joint administration will lessen the administrative
6 costs.
7

8
9 b. The Debtors business operations are closely related and a
10 portion of their general administration and operational expenses are shared.
11 Joint administration will provide for efficiency and will eliminate the need for
12 duplicative notices, applications, motions, and orders.
13

14
15 c. A consolidated matrix will best ensure that notice of the
16 proceedings will be comprehensively provided and will also lessen the
17 administrative burden.
18

19 d. For the sake of clarity and simplicity, the Debtors request
20 that only one Court file and one Court docket be maintained, which file and
21 docket should be the file and docket established for Tatoes.
22

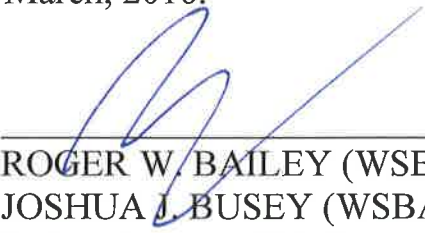


1 e. Creditors and parties in interest will benefit from the
2 reduction in costs, efficiency, clarity, and simplicity provided by the joint
3 administration and other relief outlined herein. The Court and Court staff will
4 be relieved of the burden of entering duplicative orders and maintaining
5 duplicative files. The supervision and administration of these cases by the
6 Office of the US Trustee will be simplified by the joint administration.
7
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10

11 IV. Conclusion

12
13 8. Based on the foregoing, the Debtors respectfully request entry of
14 an Order permitting joint administration, use of a consolidated mailing matrix,
15 and such other relief as is deemed just and proper.
16
17

18 DATED this 21 day of March, 2016.
19

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23 ROGER W. BAILEY (WSBA 26121)
24 JOSHUA J. BUSEY (WSBA 34312)
25 Bailey & Busey PLLC
26 Counsel for the Debtors-in-Possession
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29 E:\USB 3.0 PC Card Adapter\WAHLUKE PRODUCE-355\Bankruptcy\Pleadings\Joint
30 Administration\Motion for Joint Admin (031016).doc
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Motion for Joint Administration

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IN RE:

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Debtor.

ORDER FOR JOINT
ADMINISTRATION OF THESE
CASES AND CONSOLIDATING
THE MAILING MATRIX

IN RE:

COLUMBIA MANUFACTURING,
INC., dba COLUMBIA ONION



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ORDER ON JOINT ADMINISTRATION

Debtor.

This matter came before the Court on the Debtors' motion for an order authorizing: (a) providing for the joint administration of these cases; and (b) permitting the use of a consolidated mailing matrix ("**Motion**"). The following appearances were made at the hearing: (a) Roger Bailey and Josh Busey for the Debtors; (b) _____ for Rabo AgriFinance; (c) _____ for the United States Trustee; and (d) _____. Based upon the pleadings filed with the Court and the argument of counsel, the Court hereby finds and orders as follows:

1. The Motion has been coupled with a request to limit the time for notice and objections. Given the circumstances of this case the Court finds that it is appropriate to limit the time for objections and notice with respect to the Motion. The Debtors' Motion to Shorten Time is hereby granted.

2. Notice, including service, of the motion was proper pursuant to FRBP 2002, LBR 2002-1.

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ORDER ON JOINT ADMINISTRATION

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1 3. The Motion is hereby granted.

2
3 4. The Court finds and orders as follows:

4 4.1 Each of the Debtors is an affiliate of the other, as that term
5
6 is defined in 11 U.S.C. 101(2) and joint administration of these cases is
7
8 authorized by 1015(b) of the Federal Rules of Bankruptcy Procedure.
9

10 4.2 The bankruptcy cases of the Debtors shall be jointly
11
12 administered and one Court file and one Court docket shall be maintained for
13
14 the jointly administered estates of the Debtors. This one Court file and docket
15
16 shall be the file and docket established for Tatoes, LLC.

17 4.3 A consolidated mailing matrix will be created from the
18
19 mailing matrix for each of the bankruptcy cases for the separate Debtors.
20
21 After creation, the consolidated matrix shall be kept in the file and docket
22
23 established for Tatoes, LLC.

24 Presented By:

25
26
27
28 _____
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30 JOSHUA J. BUSEY (WSBA 34312)
31 Bailey & Busey PLLC
32 Counsel for the Debtors
33
34



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ORDER ON JOINT ADMINISTRATION